

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JAMES E. ROSS, JR., )  
                        )  
Plaintiff,            )  
                        )  
v.                    ) Civ. No. 06-078-SLR  
                        )  
THOMAS CARROLL, MIKE RECORD, )  
and LT. BRAMBLE,      )  
                        )  
Defendants.           )

**ORDER**

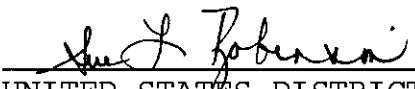
WHEREAS, plaintiff, James E. Ross, Jr., filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee;

WHEREAS, on March 3, 2006, the court entered an order requiring plaintiff to complete and return USM-285 forms for each defendant, and informing plaintiff that the United States Marshal would not serve the complaint until all USM-285 forms were received by the clerk of the court, and that failure to provide the USM-285 forms within 120 days from the date of the order may result in the complaint being dismissed or defendants being dismissed pursuant to Fed. R. Civ. P. 4(m) (D.I. 9);

WHEREAS, to date, none of the required USM-285 forms have been received from plaintiff;

THEREFORE, at Wilmington this 18<sup>th</sup> day of July, 2006, IT IS HEREBY ORDERED that plaintiff's complaint is DISMISSED WITHOUT PREJUDICE pursuant to Fed. R. Civ. P. 4(m). Plaintiff is not required to pay any previously assessed fees or the \$250.00

filng fee. The clerk of the court is directed to send a copy of this order to the appropriate prison business office.

  
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UNITED STATES DISTRICT JUDGE